

008046-000640.DGG/dys.363952

Rec'd PCT/PTO 19 SEP 2005

#5

IN THE UNITED STATES PATENT OFFICE

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SEP 19 2005

In re patent application of:)
David P. Genter et al.) Before the Examiner
) Unknown
Application No: 10/521,123)
) Group Art Unit
Filing Date: January 12, 2005) Unknown
)
CONNECTING ROD APPARATUS)
AND METHOD) September 19, 2005

**RESPONSE TO NOTIFICATION OF MISSING
REQUIREMENTS UNDER 35 U.S.C. 371**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 dated July 18, 2005, Applicants herewith submits the Declaration signed by the inventor for the above-referenced patent application. Also enclosed is a copy of formalities letter OC000000016546496. The Commissioner is authorized to charge the fee of \$130.00 for the late submission thereof to the credit card as listed on the enclosed Credit Card Payment Form. No other fees are believed to be due; however, please charge any additional fees deemed required to Deposit Account No. 23-3030, but not to include any payment of issue fees.

09/22/2005 MKAYPAGH 00000148 10521123

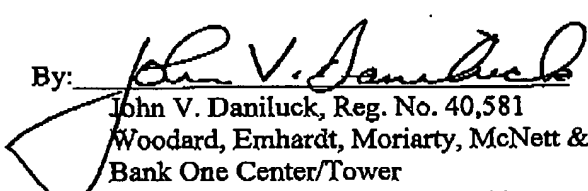
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130.00 DP

Respectfully submitted

<p>CERTIFICATE OF FACSIMILE</p> <p>I hereby certify that this correspondence is being directed to the Commissioner of Patents via facsimile to the Examiner of record at 571-273-8300 on September 19, 2005. <i>via facsimile</i></p> <p><u>JOHN V. DANILUCK</u> Registered Representative</p> <p> Signature</p> <p>September 19, 2005 Date of Signature</p>

By:


John V. Daniluck, Reg. No. 40,581
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Response to Notification of Missing Requirements Under 35 U.S.C. 371
Serial No. 10/521,123
Attorney Docket: 8016-640
Page 1 of 1

**WOODARD, EMHARDT, MORIARTY,
MCNETT & HENRY LLP**
PATENT & TRADEMARK ATTORNEYS

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SEP 19 2005

FACSIMILE TRANSMITTAL SHEET

TO:	U.S. Patent and Trademark Office	FROM:	John V. Daniluck
FAX NUMBER:	571.273.8300	DATE:	September 19, 2005
YOUR REFERENCE NUMBER:	Serial No.: 10/521,123	TOTAL NO. OF PAGES INCLUDING COVER:	7
	Inventor: David P. Genter	SENDER'S REFERENCE NUMBER:	8016-640
	Filing Date: January 12, 2005	RE:	CONNECTING ROD APPARATUS AND METHOD
	Examiner/Group Art: Unassigned		

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Attached please find:

<input type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Credit Card Form PTO-2038	<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Declaration/Power of Attorney	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Drawings	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Incl Affidavits/declaration(s)	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	PTO-2038 Credit Card Payment Form \$130.00
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	
<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Request for Refund	

THIS MESSAGE IS INTENDED ONLY FOR THE ADDRESSEE(S) IDENTIFIED ABOVE.

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/521,123	David P GENTER	8016-640

30565
WOODARD, EMHARDT, MORIARTY, MCNETT & HENRY LLP
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INTERNATIONAL APPLICATION NO.
PCT/US03/23542

IA FILING DATE	PRIORITY DATE
07/28/2003	07/26/2002

CONFIRMATION NO. 6762
371 FORMALITIES LETTER

OC000000016546496

Date Mailed: 07/18/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/12/2005
- Copy of the International Search Report filed on 01/12/2005
- Copy of IPE Report filed on 01/12/2005
- Copy of Article 19 Amendments filed on 01/12/2005
- Preliminary Amendments filed on 01/12/2005
- Oath or Declaration filed on 01/12/2005
- Request for Immediate Examination filed on 01/12/2005
- U.S. Basic National Fees filed on 01/12/2005
- Priority Documents filed on 01/12/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$139 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,123	PCT/US03/23542	8016-640

FORM PCT/DO/EO/905 (371 Formalities Notice)